

# Postelection Issues in Bosnia and Herzegovina

Updated October 11, 2018

During the wars of Yugoslav succession, many Members of Congress were active in the debate over U.S. policies toward Bosnia and Herzegovina (hereinafter, *Bosnia*). The United States played a key role in brokering the 1995 Dayton Peace Accords, which ended the war in Bosnia.

On October 7, 2018, Bosnia held its eighth general election since Dayton. At the central, statewide level, voters cast their ballots for the three-member presidency and the lower house of parliament. In Bosnia's two semiautonomous units (the *entities*), elections were held for subnational legislatures and leaders. Preliminary results indicate that the primary winners are incumbent politicians and parties, most of which are organized based on ethnic affiliation.

## Political Structure

Bosnia is a federal parliamentary republic with an estimated 3.9 million inhabitants. Its three constituent peoples, Croats, Serbs, and Muslim Slavs (Bosniaks), have equal standing under the constitution.

Bosnia has a weak central government, including a tripartite presidency, a Council of Ministers, and a parliament. Bosnia's two entities, the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS), have broad jurisdiction in most policy areas. The largest ethnic groups in FBiH are Bosniaks (70%) and Croats (22%), whereas Serbs (82%) form a majority in RS. The Dayton Agreement established the Office of the High Representative to monitor its civilian aspects.

Many analysts consider Bosnia's current political situation to be fragile due to political dysfunction, economic conditions, and anger toward politicians. Long-standing disagreement among Bosnia's major parties has stymied economic and constitutional reforms. Despite modest GDP growth since 2015, the youth unemployment rate (46%) is a serious policy challenge. In 2014, a series of antigovernment protests that included acts of arson and property damage rocked the country.

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IN10980

## Key Results

### Presidency

Bosnia's three-member presidency is responsible for foreign policy and represents the country abroad. RS voters elect the Serb member of the presidency, and FBiH citizens vote for either the Croat or the Bosniak member.

Zeljko Komsic defeated incumbent Dragan Covic for the Croat seat on the presidency, which surprised some analysts. Many observers consider Komsic to be a moderate who is often aligned to Bosniak positions. Komsic was previously elected to the presidency in 2006 and 2010 amid complaints that he only won because of Bosniak strategic voting and thus was not a legitimate Croat representative. Covic, by contrast, has raised the prospect of a [separate Croat entity](#). Some analysts speculate that Komsic's victory could harden the position of the Croatian Democratic Committee of Bosnia (HDZ-BiH) on Croat representation and embolden politicians seeking a separate Croat entity.

As most polls anticipated, Bosnian Serb hard-liner Milorad Dodik defeated the incumbent Serb member of the presidency. His new role will prolong his political career and could give him a platform to obstruct central government institutions. In his previous roles as prime minister and president of RS, Dodik challenged the legitimacy of Bosnian statehood, praised war criminals, routinely [threatened RS's secession](#), and cultivated close ties to the [Kremlin](#). He became subject to U.S. sanctions in 2017 for [obstructing the Dayton Accords](#). He is courting controversy by pledging to work strictly for the [interests of Serbs](#) and threatening to use his new position to push for Bosnia's [recognition of Crimea](#) as Russian territory.

Sefik Dzaferovic, the candidate of the Bosniak Party of Democratic Action (SDA), narrowly beat his opponent to claim the Bosniak seat on the presidency. The SDA, which was the strongest performer in legislative elections, is the largest Bosniak party. However, its support base has weakened amid [clientelism and corruption](#) scandals—allegations that plague many of Bosnia's major parties.

### Legislative Elections

Voters also cast their ballots for members of the lower house of Bosnia's parliament and entity legislatures. RS voters elected entity government heads, and FBiH voters elected cantonal assemblies. Preliminary results do not indicate significant change in the composition of these institutions. The major ethnic parties—the Bosniak SDA, the Croat HDZ-BiH, and the Serb Alliance of Independent Social Democrats—secured a relative majority of votes in their strongholds, albeit with narrower support bases than before.

### Other Issues

An unresolved court order could affect the postelection environment. In 2016, Bosnia's Constitutional Court supported a Croat challenge to legal provisions on the indirect election of delegates to the FBiH House of Peoples, a legislative chamber based on ethnic quotas. When the entity government did not address the issue, the court struck the relevant provisions from the law. As a result, there is no legal mechanism to constitute the FBiH House of Peoples. Some analysts speculate that the issue could be resolved temporarily through party negotiations or the [intervention](#) of the Central Election Commission. However, if the House of Peoples is not constituted, there could be upstream consequences for passing legislation and forming governments.

Fraud allegations overshadowed the campaign. Preelection polls suggested that most Bosnians do not believe the country's elections are free and fair. Some observers believe that voter registry issues, election-day [anomalies](#), delayed vote tallying, and an unusually high number of invalidated ballots could undermine electoral legitimacy and prompt official challenges to the results.

## U.S. Role

The United States played a crucial role in brokering the Dayton Accords and has provided nearly [\\$2 billion in aid](#) to Bosnia. Washington supports Bosnia's membership in NATO and the European Union (EU) in the longer term. However, some observers believe the decreasing U.S. and EU role in Bosnia helped create an opening for Russian influence, most notably in RS.

[Some analysts](#) believe that, given Washington's historical role as mediator, the United States could help broker postelection negotiations or defuse potentially destabilizing issues. Many Members of Congress have a strong interest in Bosnia and in shaping U.S. policies toward the country. The appropriations process allows committees to assess U.S. aid and cooperation programs vis-à-vis Bosnia. The House Foreign Affairs Subcommittee on Europe, Eurasia, and Emerging Threats held a [hearing](#) on Bosnia's stability in April 2018, and a congressional delegation visited the country in July to meet with stakeholders.

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